

SAMUEL F. REPP, one of the plaintiffs, being produced in behalf of the plaintiffs, having first been duly affirmed, deposes and says:

State your name and your knowledge of this case?

My name is Samuel F. Repp, and I am 83 years old and reside in Johnsville, Frederick County, Maryland, and am one of the plaintiffs in this cause. My occupation is that of Minister of the Gospel.

My sister was Rachel J. Grossnickle Garber, and she died on May 25, 1939, at Johnsville, Frederick County, Maryland, and left no will and testament, but at the time of her death she left surviving, her husband, George W. Garber, who is now dead, having died on the 7th day of June, 1939, leaving a last will and testament filed in this cause as Exhibit No. 2, which is a correct copy of his will.

The property described in Exhibit No. 1 filed in this cause was deeded to my sister when she was the wife of David Grossnickle and before she married Mr. Garber, and it therefore stands to her as Rachel J. Grossnickle. I look at Exhibit No. 1 and I am sure it correctly describes this property.
Could this property be divided without a sale?

This property is not susceptible of partition or division among the heirs at law and next of kin of Rachel J. Garber, without loss and injury; in fact it contains only a dwelling house and about an acre and one-half of ground, and it would be impossible to divide it equally in kind in any way, even among two or three people.

It would be to the best interest of all the parties to this cause, especially the infant, that the same be sold under a decree of the Court, and the proceeds divided among the parties according to their respective rights and interests.

What is the value of this real estate?

This property, in my judgment, is worth about \$/200.00.

Do you know the heirs of Rachael J. G. Garber?

I have heard read the testimony in this case given by my daughter, Marion ~~A~~. Repp, the preceding witness, and as stated by her,